Government of
Saskatchewan

Annual Report
1983-84

Saskatchewan
Justice

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Letters of Transmittal

October 1, 1984.

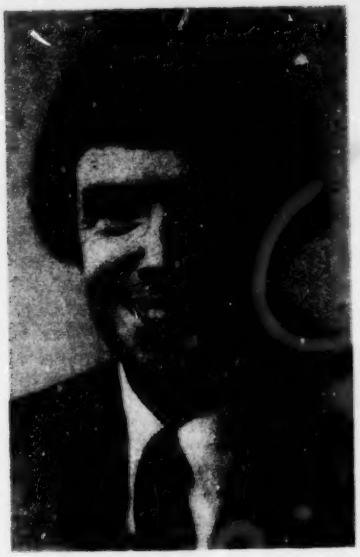
The Honourable F.W. Johnson,
Lieutenant Governor in Council,
Province of Saskatchewan,
Regina, Saskatchewan.

May It Please Your Honour:

I have the pleasure to transmit to your Honour the Annual Report of the Saskatchewan Department of Justice for the year ending March 31, 1984.

Respectfully submitted,

The Honourable J. Gary Lane, Q.C.,
Minister of Justice
and Attorney General



October 1, 1984.

The Honourable J. Gary Lane, Q.C.,
Minister of Justice
and Attorney General,
Province of Saskatchewan,
Regina, Saskatchewan.

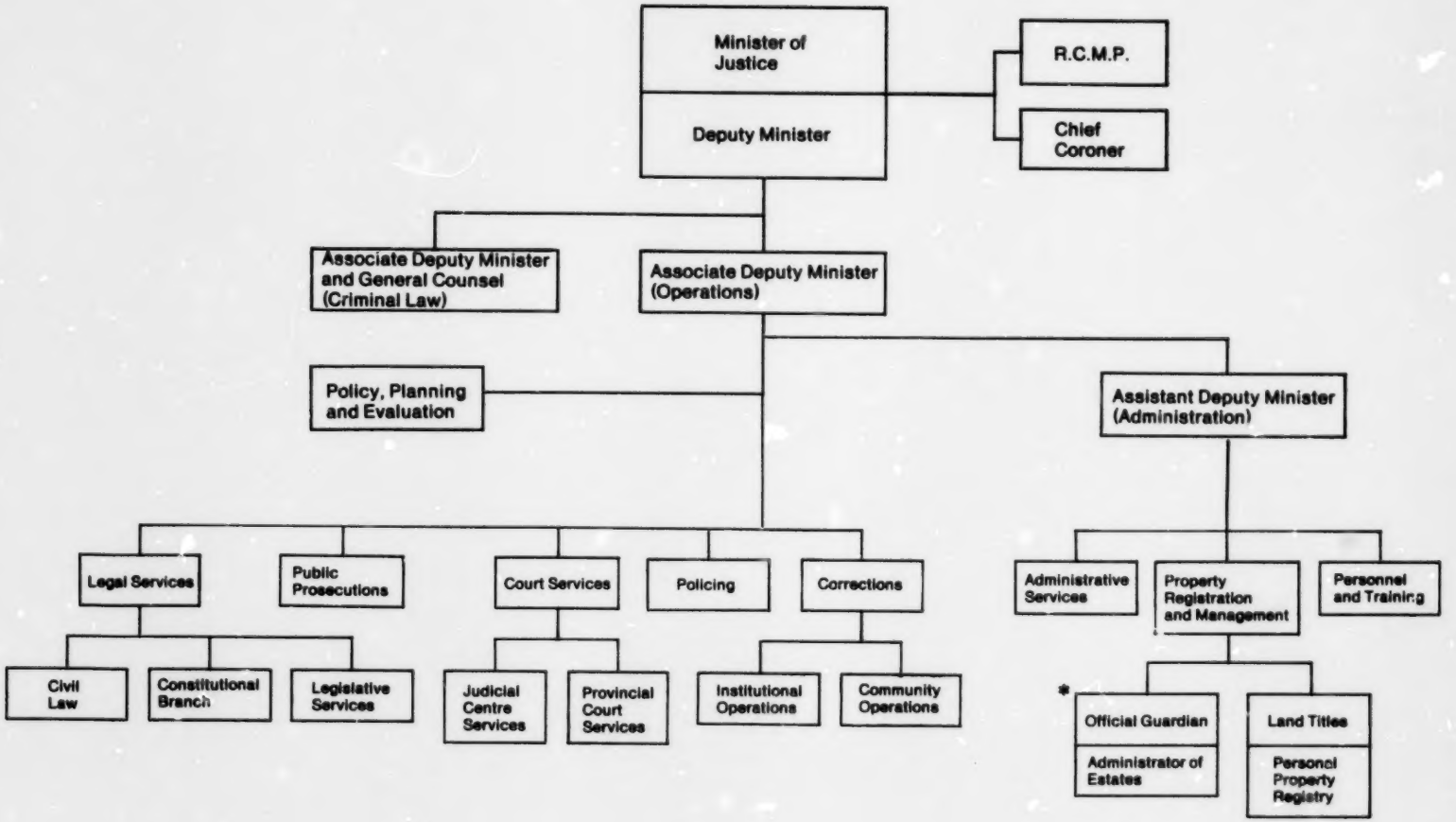
Dear Mr. Lane:

I have the honour to submit for your consideration the Annual Report of the Saskatchewan Department of Justice for the year ending March 31, 1984.

Respectfully submitted,

Richard Gosse, Q.C.
Deputy Minister of Justice
and Deputy Attorney General

Organization Chart



*The functions of the Official Guardian and the Administrator of Estates were merged on April 1, 1984, into the Office of the Public Trustee.

Deputy Minister's Introduction

This is the first annual report of the Department of Justice.

The Department was established on May 1, 1983, as part of a government-wide reorganization of functions and responsibilities. On that date **The Department of Justice Act** came into force.

The newly-created Department includes the former Attorney General's Department, and the provincial corrections service which had been previously located in the Department of Social Services. Also transferred into the new Department was the constitutional affairs function of the former Department of Intergovernmental Affairs. That function was merged into the Constitutional Branch of the Department of Justice.

The Minister of Justice is **ex officio** the Attorney General and, in that capacity, continues to have the constitutional and legal responsibilities traditionally associated with that historic office. Certain of those responsibilities relate to his special role in Cabinet and, for that purpose, the Minister is described as the legal member of the Executive Council. He is the legal adviser to the Crown. Among his duties are:

(a) seeing that the administration of public affairs is in accordance with the law;

(b) the superintendence of all matters connected with the administration of justice in Saskatchewan that are within the constitutional jurisdiction of the Province; and

(c) the provision of legal advice to the Government of Saskatchewan and the conduct of all litigation for or against the Crown.

The mandate of the Department includes providing for:

(a) the policing of Saskatchewan with respect to those laws which the Province is responsible for enforcing (this being done by the Royal Canadian Mounted Police under a contract between the Province and the Government of Canada);

(b) the prosecution of offences under the **Criminal Code** and provincial statutes, through the office of the Director of Public Prosecutions;

(c) court support services to the Court of Appeal, the Court of Queen's Bench and the Provincial Court of Saskatchewan and acting as a liaison between the courts and the Department of Supply and Services, with respect to the supply of court space, which is the responsibility of that Department;

(d) the provincial corrections system;

(e) the provincial coroners' system;

(f) the operation and management of the provincial land titles and personal property registration systems;

(g) the operation and management of systems for the administration of estates of the mentally incompetent and minors, which is now done through the office of the Public Trustee; and

(h) legal advice to the Government and conducting all litigation for or against the Crown.

There are a number of agencies which report to the Minister, the budgets of which are required to be included within the budget of the department but which, owing to their independent statutory nature, are not managed by the Department. These include the Saskatchewan Legal Aid Commission, the Saskatchewan Human Rights Commission, the Saskatchewan Police Commission, and the Law Reform Commission of Saskatchewan.

The inclusion of adult corrections (the responsibility for sentenced young offenders remaining with the Department of Social Services) within the management scope of a department that has responsibilities for policing, prosecutions and court support services will provide an opportunity to better co-ordinate these government functions and to ensure, insofar as it is appropriate to do so, that policies with respect to these functions are in harmony. These functions, when taken together, are sometimes referred to as "the justice system" or, when applied to those who have been charged with offences, as "the criminal justice system". It has on occasion been suggested that it should be the role of a department such as ours, with these overall responsibilities, to "manage" the "justice system" or "criminal justice system". This suggestion does not take into account three major factors:

(a) federal responsibilities for policing and prosecutions with respect to federal statutes other than the **Criminal Code** (such as drug laws), and for corrections (those sentenced to terms of two years imprisonment or more), and municipal responsibilities for enforcing the **Criminal Code**, provincial laws and municipal by-laws;

(b) the criminal law (including criminal procedures and sentence options for criminal offences), which the Province is responsible for enforcing, but which is enacted by the Parliament of Canada;

(c) the constitutional principle of the independence of the judiciary, and the application of that principle to the assignment of the court workload and to judicial decision-making (particularly with respect to sentencing in the so-called "criminal justice system").

The Department looks forward to meeting the challenge of better co-ordinating the various justice functions for which it is responsible. The Department will be examining thoroughly the extent to which it is appropriate to have common goals and cohesive policies, having regard to the factors mentioned above and such matters as the independent status of

the peace officer in the laying of charges and the constitutional exercise of due discretion in the prosecution process. Certainly strides should be made in improving our information systems, and in other ways of achieving greater efficiencies, but without detracting from our responsibility for the proper administration of justice.

All government departments and agencies throughout the country are under an obligation to perform effectively and efficiently and, in these times of financial restraint, some may have to consider reducing or even eliminating certain programs. For the purposes of overall government management, the carrying out of government functions is generally regarded as being done through programs, but it is recognized that some programs are more essential and some more desirable than others. Recognition, for example, should be and is usually given to the fact that it is necessary to the governing of a province, and the maintenance of the rule of law, which is fundamental to the nature of our society, that the law be properly enforced, that the courts have the capacity to carry out their constitutional responsibilities, and that there be appropriate correctional services to deal with the sentences imposed by the courts. While most, if not all, of the matters for which the Department of Justice is responsible are essential to the Province and its citizens, the Department fully accepts its obligation to manage these responsibilities effectively and efficiently.

In 1983-84, the Department of Justice had expenditures of $102.9 million, broken down as follows:

$32.4 million — R.C.M.P. Provincial Policing
$39.5 million — Other functions of former Attorney General's Department.
$31 million — Corrections

Figure 1 illustrates the departmental expenditures.

Corrections and the Department of the Attorney General each had approximately 700 employees. The new Department of Justice is therefore double the size, in terms of personnel, of the former Department of the Attorney General. (Members of the R.C.M.P. engaged in provincial policing and their support staff, totalling 952, are federal government employees.)

In order to enhance the management capacity of the new Department of Justice, a new position of Associate Deputy Minister (Operations) was created and filled to assume responsibility, in consultation with and under the direction of the Deputy Minister, for managing the operations and resources of the Department in non-legal matters. A Policy, Planning and Evaluation Branch was created to allow for more effective program development and analysis, in keeping with the realignment and integration of justice-related activities in one department.

In addition to changes brought about by government reorganization, the Department underwent a number of other internal changes during 1983-84. In November, 1983, an Executive Director of Legal Services (replacing the position of Director of Civil Law) was appointed with responsibility for managing the provision of legal services to the Government of Saskatchewan in respect of civil, constitutional and legislative matters. For this purpose, the Executive Director assumed the overall management and direction of a Legal Services Division made up of the Civil Law Branch, Constitutional Branch and Legislative Services Section.

During the year, considerable planning was undertaken for changes occurring early in 1984. **The Public Trustee Act** was proclaimed effective April 1, 1984, uniting in one office the functions of the Administrator of Estates and Official Guardian in respect of property management for minors and mentally incompetent persons. In a change which took effect on March 1, 1984, the management of the land titles and personal property registration systems, by the Director of Property Registration, was combined with the position of Master of Titles. These changes will be expanded upon in the 1984-85 Annual Report.

Although reorganization was a major focus of departmental activity over the year, there were noteworthy developments as well in the area of programs and services. Among the highlights were:

- The establishment of an R.C.M.P. detachment at Wollaston Lake and a prosecutor's office at La Ronge;
- The opening of new court facilities at Saskatoon and fully renovated facilities at Meadow Lake and Kamsack;
- Province-wide implementation of Restitution and Community Service Order Programs and expansion of the existing Bail Supervision Program;
- Record increases in the numbers of land titles and property registration transactions handled by the Department;
- The implementation of a new accounting system for Judicial Centres and further development of plans for the implementation of an automated information system to serve the Courts and related justice functions throughout the province;
- Extensive departmental involvement in planning and liaison work related to the implementation of the **Young Offenders Act**; and
- Participation in the formulation of a government response to the issue of family violence.

During the course of the fiscal year there were a number of significant personnel changes at the senior management level:

- Kenneth W. MacKay, Q.C., was appointed Director of Public Prosecutions on April 1, 1983, replacing Delmar W. Perras, Q.C., who joined the Alberta Attorney General's Department as Assistant Deputy Minister, Criminal Law;
- Dr. John Siu, former federal Deputy Commissioner of Corrections, was appointed Associate Deputy Minister (Operations) on June 1, 1983;
- Michael de Rosenroll was appointed Executive Director of the Legal Services Division on November 1, 1983, on the appointment of Hugh M. Ketcheson, Q.C., the Director of the Civil Law Branch, as a Judge of the Provincial Court of Saskatchewan;
- Georgina R. Jackson was appointed Director of Property Registration on March 1, 1984, to be responsible for the management of the land titles and personal property registration systems, retaining her position as Master of Titles;
- Mary Ellen Wellsch was appointed Public Trustee, to be responsible for the administration of the estates of the mentally incompetent and minors under **The Public Trustee Act**, which came into force on April 1, 1984.

Figure 1

Percentage Allocation of Departmental Expenditures

1983-84

[102.9 million dollars]

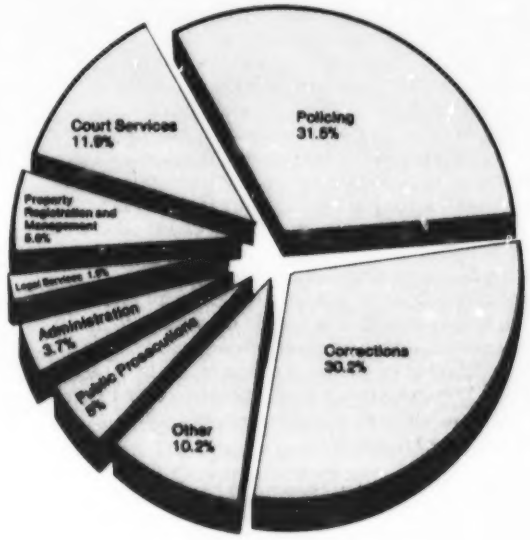
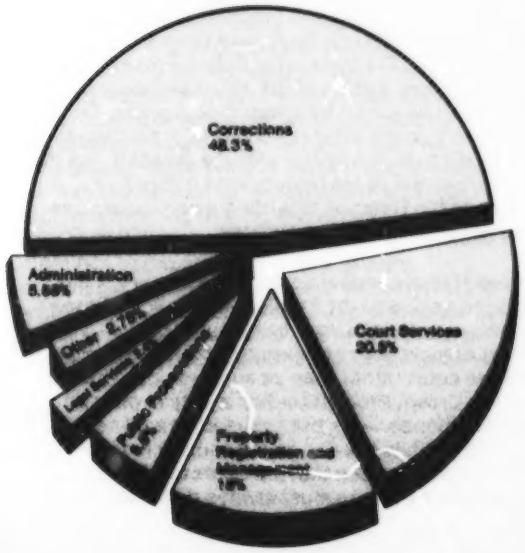


Figure 2

Percentage Allocation of Human Resources

1983-84

[1,457 Person-Years*]



[*Source: 1983-84 Estimates]

I Public Prosecutions Branch

The principal duty of the Public Prosecutions Branch is to prosecute all offences under the **Criminal Code of Canada** and the Statutes of Saskatchewan in all the courts in the Province and in the Supreme Court of Canada. As well, the Branch advises the Minister of Justice and the Deputy Minister of Justice regarding the administration of criminal justice in the Province. It also provides legal advice to the Royal Canadian Mounted Police in its provincial policing role and municipal police forces in relation to matters under investigation.

The Attorney General for Saskatchewan is responsible for the administration of criminal justice in the Province. He carries out this responsibility in part through the Director of Public Prosecutions and the members of the Prosecutions Branch who are his agents. In carrying out this responsibility, the Attorney General has constitutional independence, and in turn, his agents possess that same independence. Thus, members of the Public Prosecutions Branch exercise wide discretionary powers within the field of criminal prosecutions: deciding whether or not to prosecute; instituting and stopping prosecutions; taking over the conduct of any criminal proceeding which has been privately commenced; advising the Attorney General whether or not to consent to a prosecution in cases where his formal consent is required. In court, agents of the Attorney General, members of the Public Prosecutions Branch, present the case for the Crown, and again there is a wide discretion to do so as they see fit: deciding what witnesses should be called, and what evidence is relevant, material and credible. The exercise of that discretion in the public interest requires lawyers with special skills, experience and judgment.

For some time in Saskatchewan, it has been the policy and practice of Attorneys General not to give directions as to how particular prosecutions should proceed. Rather, in practice, decisions as to whether particular prosecutions will proceed or be stayed, or with respect to their conduct, have been the responsibility of the Director of Public Prosecutions, and through him, agents of the Attorney General. The Director may be asked for a report on a particular matter by either the Attorney General or his Deputy, who may discuss the matter with the Director, but the Attorney General or his Deputy would only give direction to the Director regarding a particular case in very exceptional circumstances.

Because of these wide discretionary powers, it has often been said, and the Public Prosecutions Branch constantly reminds its members, that a Crown Prosecutor must act as a Minister of Justice and as part of the court rather than as an advocate. Thus, in a trial, the Crown Prosecutor has a duty to offer all relevant evidence — for the accused as well as against him. While the Crown Prosecutor must vigorously strive to see that the course of justice is not thwarted, he or she must always do so with fairness, moderation and dignity. As Mr. Justice Rand in the Supreme Court of Canada stated in **Boucher v. The Queen**, [1955] S.C.R. 16 at page 23:

> It cannot be over-emphasized that the purpose of a criminal prosecution is not to obtain a conviction, it is to lay before a jury what the Crown considers to be credible evidence relevant to what is alleged to be a crime. Counsel have a duty to see that all available legal proof of the facts is presented, it should be done firmly and pressed to its legitimate strength but it must also be done fairly. The role of prosecutor excludes any notion of winning or losing; his function is a matter of public duty than which in civil life there can be none charged with greater personal responsibility. It is to be efficiently performed with an ingrained sense of the dignity, the seriousness and the justness of judicial proceedings.

There are three Assistant Directors in the Branch (reporting to the Director) in charge of appeals, prosecution offices and administration. The Assistant Director of Administration also has responsibility for the prosecutions in the Traffic Safety Courts in Regina and Saskatoon. There are prosecution offices in Regina, North Battleford, Moose Jaw, Prince Albert, Saskatoon, Swift Current and Yorkton. The Prince Albert office has sub-offices in La Ronge and Melfort. The Assistant Director in charge of the prosecution offices also has responsibility for fee-for-service agents and the special prosecution unit which handles commercial crime cases.

In 1983-84, there were 32,666 prosecutions. Crown Prosecutors handled 24,285 cases, fee-for-service agents of the Attorney General handled 4,181, and the R.C.M.P. handled approximately 4,200 cases. The cases handled by the R.C.M.P. are always of a minor nature, and very often do not go to trial, but rather, are resolved by guilty pleas.

As well, in 1983-84 there were 377 appeals in the Court of Appeal and approximately ten appeals or applications in the Supreme Court of Canada.

In the summer of 1983, the Public Prosecutions Branch opened a two-prosecutor office in LaRonge to deal with prosecutions in the north.

In addition to the opening of new offices, in 1983-84 major initiatives have been taken in the area of family violence and child abuse. The Branch is also involved in the ongoing development of the law having to do with the **Charter of Rights**, and throughout the winter and spring of 1984, training sessions on the new **Young Offenders Act** were conducted throughout the province for Crown Prosecutors, fee-for-service agents, and police forces.

II Legal Services Division

- **General**

The statutory mandate of the Minister of Justice to provide legal advice on civil matters (including constitutional questions) to the Government of the Province, its departments, agencies and boards, and to conduct all civil litigation for or against the Crown, is carried out by the Legal Services Division of the Department.

During the 1983-84 fiscal year, the Legal Services Division was formed by consolidating the Civil Law Branch, the Constitutional Branch and the Legislative Services Section. The Division was established to centralize responsibilities within the Department for the provision of civil law services to government and to create new scope for rationalizing and directing related resources.

An Executive Director was recruited to manage the Division, the appointment being made on November 1, 1983. This position replaced that of Director, Civil Law. The Executive Director was asked to explore the potential of the new Division for enhanced productivity and programming, and in consultation with colleagues and client-agencies, to develop an overall approach to providing legal services that would be professionally sound and responsive to the needs of government.

In early March, 1984, the Department approved plans for the internal reorganization of the Division. As a consequence, the Civil Law Branch has been restructured as three sections: one section responsible for providing civil litigation services, and the others responsible for providing general civil law services, on a collegial basis, to specific groups of client-agencies. Senior Crown Solicitors are to be designated as co-ordinators to manage the day-to-day operations of the new sections. In addition, a senior consulting solicitor is to be designated to assist the Executive Director with respect to matters of an advisory or technical nature for which he is responsible.

As a consequence of reorganization, the general administration of the Division will become the responsibility of a Divisional Management Committee consisting of the Executive Director, the senior consulting solicitor, the co-ordinators of the Civil Law Branch, the Director of the Constitutional Branch, and the Co-ordinator of the Legislative Services Section. This Committee will assume leadership with respect to a number of operational projects undertaken during the 1983-84 fiscal year, including projects designed:

(a) to establish a management information system based upon professional time-use records and similar in most respects to the systems employed by private law firms to account for client-related activities;

(b) to develop techniques for measuring and comparing levels of productivity, client-services, and service-costs;

(c) to evaluate internal technical and support facilities, with special emphasis upon the opportunities for efficiency afforded by current automation technology; and

(d) to design appropriate programs for professional self-evaluation and development

- **The Civil Law Branch**

At the end of October, 1983, the Director of the Civil Law Branch, Hugh Ketcheson, Q.C., was appointed a member of the Provincial Court. Judge Ketcheson left the Department of Justice a legacy of professional and personal contributions that is a source of pride to his friends and former associates throughout the Saskatchewan Public Service.

Except for responsibilities specifically assigned to the Constitutional Branch and the Legislative Services Section, the Civil Law Branch provides all civil law services requested by the Minister of Justice or required by government departments, agencies and boards. As might be expected, the Government of Saskatchewan is a client whose complex legal affairs generate requirements for legal services that are extensive and diverse.

The Civil Law Branch provides legal services that are relatively broad in scope, ranging in nature from major research and litigation assignments to more routine tasks and attendances. The Branch is frequently required to give opinions with respect to provincial and federal legislation and, in co-operation with the Legislative Services Section, to assist in the preparation of draft bills, orders-in-council and regulations. The Branch provides civil litigation services, with Crown Solicitors appearing regularly before provincially and federally-constituted courts and tribunals.

Almost every Crown Solicitor within the Civil Law Branch, which is centrally located in Regina, is individually responsible for providing legal services to one or more departments or agencies, and for ongoing liaison with appropriate officials within those departments or agencies. As is the case throughout the Division, however, Crown Solicitors with specialized experience or expertise are available to all their colleagues for consultation and assistance. Moreover, during the fiscal year, several of these Crown Solicitors accepted invitations to address meetings sponsored by various groups, organizations, and professional associations, both within and outside Saskatchewan, and to participate in the activities of national and interprovincial committees, working groups and organizations.

- **The Constitutional Branch**

This Branch is responsible for advising the Government with respect to all matters of constitutional significance and representing the Attorney General in litigation entailing constitutional issues. As well, the Branch provides general and specialized legal services to the Government in respect of aboriginal, energy, and human rights matters. It also is responsible for advising the Government with respect to constitutional affairs and reform in the intergovernmental sphere, particularly with respect to First Ministers' Conferences on constitutional reform.

In the course of those appeals to the Supreme Court of Canada which entail a formal constitutional issue, the Attorney General is given notice and may apply to appear as an intervener. The Constitutional Branch reviews such cases to determine whether it is in the interest of the Province to intervene and provides counsel in the event that the Attorney General determines intervention to be advisable. In 1983-84, there were approximately ten constitutional cases in which it was open to provincial governments to intervene. Saskatchewan intervened and made arguments in three of these cases. This compared to approximately fifteen cases possible and six interventions in 1982-83. The three cases in which Saskatchewan intervened were **Burke and Arab** which dealt with provincial jurisdiction to establish residential tenancy boards, **Skapinker** (the first important case under the **Canadian Charter of Rights and Freedoms**) which dealt with whether provincial law societies could restrict membership in the legal profession to provincial residents, and **Big M Drug Mart** which dealt with the constitutionality of Sunday closing laws. In addition, the Branch was involved in many cases of constitutional significance before the Courts of Saskatchewan during the fiscal year, some of which raised important issues of interpretation in connection with the **Canadian Charter of Rights and Freedoms**.

The Branch had a lead role in the preparations for the First Ministers' Conference in March, 1984, dealing with aboriginal constitutional reform matters, and actively participated with or on behalf of the Minister of Justice in the series of federal-provincial conferences leading to that meeting. Other constitutional reform issues addressed by the Branch during the fiscal year included "Senate reform" and various issues relating to the judiciary, such as the possible amendment of section 96 of the **Constitution Act, 1867**.

- **The Legislative Services Section**

This Section has the responsibility for assisting with respect to the formulation of legal policy for the Department, and the technical development of legislation for the Department of Justice and other government departments, agencies and boards. As well, this Section provides legal support services to the Department of the Provincial Secretary.

In pursuance of its general responsibilities, this Section co-ordinates all legal policy and planning within the Department and attends to the legislative drafting requirements of the Department of Justice and, occasionally, other government agencies. The Section advises Executive Council with respect to legislative proposals and co-operates with the Legislative Counsel and Law Clerk in co-ordinating the technical process established for developing the Government's regular legislative programs.

In addition, the Section attends to the revision of regulations falling within the purview of the Minister of Justice. Matters of liaison with the Law Reform Commission of Saskatchewan also fall within the scope of the Section's responsibilities.

The Section participated extensively in the preparation of major legislative initiatives in the course of its duties with respect to the co-ordination and technical development of the Government's legislative program for 1983-84. Currently, the Section continues to assist the Department of Justice and others with major projects undertaken in respect of forthcoming Sessions of the Legislature.

III Courts

- **General**

The Province of Saskatchewan has the constitutional responsibility for the constitution, maintenance and organization of the Court of Appeal, the Court of Queen's Bench and the Provincial Court of Saskatchewan. Under the constitution, the federal government appoints the judges to the first two of these courts, and the provincial government appoints the judges to the third. The provincial government provides the court space, furnishings, other material and support staff to all three courts.

The three courts function, and their judges are appointed and serve, on the constitutional principle of the independence of the judiciary.

- **The Court Services Branch**

The Court Services Branch provides the administrative support for the operation of the courts in Saskatchewan. This includes the provision of judicial officers, clerical staff, court stenographers, sheriff personnel, library services, equipment, office supplies and information systems. The Branch also serves a liaison function with the Department of Supply and Services for the supply of space and furniture for the courts.

Court Services are at present delivered through two administrative units, Judicial Centres and Provincial Courts. The Judicial Centres Unit is concerned with administration relating to the Court of Appeal, the Court of Queen's Bench, the Surrogate Court and the Unified Family Court. In addition, it is responsible for the provision of the court reporting and sheriffs' services. The Provincial Courts Unit has responsibility for non-judicial administration relating to the Provincial Court of Saskatchewan and the Traffic Safety Court of Saskatchewan. It also provides training and support services for Justices of the Peace throughout the province.

During 1983-84, new Provincial Court facilities were completed at Saskatoon, allowing for the amalgamation in one building of all Provincial Courts excluding the Traffic Safety Court. Newly renovated facilities were provided at Meadow Lake and Kamsack. Plans for new or renovated facilities at Fort Qu'Appelle, Canora, Regina, Wakaw, Yorkton and Preeceville were developed. Another circuit point was established at Wollaston Lake in Northern Saskatchewan to coincide with the establishment of an R.C.M.P. detachment at this location.

- **The Court of Appeal**

The Chief Justice of Saskatchewan presides over the Court of Appeal. In addition to the Chief Justice, the Court consists of four other judges of appeal. There were also, as of March 31, 1984, three supernumerary judges. The judges are appointed by the Governor General in Council. The Court hears appeals from all other Courts in the Province of Saskatchewan. Its decision may be appealed only to the Supreme Court of Canada. In the fiscal year 1983-84, leave to appeal to the Supreme Court was sought in fifteen cases and granted in three of those.

TABLE 1

CASELOAD STATISTICS — COURT OF APPEAL

	Filed			Heard		
	1981-82	1982-83	1983-84	1981-82	1982-83	1983-84
Number of appeals (civil)	283	306	313	143	161	158
Number of appeals (criminal)	454	510	558	427	401	572

• The Court of Queen's Bench

Her Majesty's Court of Queen's Bench for Saskatchewan consists of a Chief Justice of the Queen's Bench and twenty-five judges of the Court of Queen's Bench. In addition, there are four supernumerary judges.

The Court of Queen's Bench is the superior trial court for the province with original jurisdiction in all civil and criminal matters not expressly excluded by statute. In addition, it sits on appeal over the Provincial Court of Saskatchewan with respect to summary conviction offences and Small Claims matters. Judges of the Court of Queen's Bench hear matters in all judicial centres and several smaller communities. Judges and supernumerary judges were resident, as of March 31, 1984, in the following communities, as follows:

	Judges	Supernumerary Judges
Regina	8	2
Saskatoon	12	
Battleford	1	
Humboldt	1	
Melville	1	
Moose Jaw	1	
Prince Albert	1	
Swift Current		1
Yorkton		1
	25	4

TABLE 2

CASELOAD STATISTICS — COURT OF QUEEN'S BENCH

(Excluding Unified Family Court)

	1982	1983
Civil actions commenced (excluding divorce)	15,338	14,636
Civil trials heard (excluding divorce)	859	549
Petitions for divorce commenced	1,582	1,580
Criminal trials heard	743	733
Criminal appeals heard	297	304
Chamber matters heard	15,064	18,016
Sheriff:		
Writs of execution filed	5,555	5,397
Writs of execution (completed, satisfied or expired)	3,021	3,597
Seizures	436	498
Investigations	6,134	9,621
Process served	2,009	2,198

- **The Surrogate Court**

The Surrogate Court for Saskatchewan has jurisdiction in relation to testamentary matters and issuance of grants of probate and administration. It is a court of record.

The Chief Justice of the Court of Queen's Bench and the other judges of the Court of Queen's Bench for Saskatchewan have been appointed Judges of the Surrogate Court. The Court of Queen's Bench exercises the jurisdiction given to the Surrogate Court.

TABLE 3

CASELOAD STATISTICS – SURROGATE COURT

	1981	1982	1983
Letters Probate	2,874	3,020	3,055
Letters of Administration	744	753	700
Under Sections 45 and 46 of the Act	47	63	49
TOTAL	3,665	3,836	3,804

- **The Unified Family Court**

The Unified Family Court for Saskatchewan was opened in December, 1978, in Saskatoon as a pilot project for the province. It was established to provide a court with jurisdiction over all family matters which takes into consideration a range of problems beyond legal issues and can deal with the family as a unit through a combination of court and social services.

This Court has successfully brought together both the Provincial and Queen's Bench Court functions resulting in an integrated court system for family related matters.

TABLE 4

CASELOAD STATISTICS – UNIFIED FAMILY COURT

	1981	1982	1983
Actions commenced by Statute:			
The Divorce Act	734	743	781
The Married Persons' Property Act and The Matrimonial Property Act	250	220	193
The Deserted Wives' and Children's Maintenance Act	132	125	100
The Infants Act	229	236	238
The Children of Unmarried Parents Act	34	26	21
Others	115	90	115
Adoptions	129	180	136
Family Service	109	118	104
Juvenile Delinquents	98	147	143
Criminal Code	189	103	83
TOTAL	2,019	1,988	1,914
Number of files opened	1,169	1,158	1,138

• The Provincial Court of Saskatchewan

The Provincial Court of Saskatchewan consists of a Chief Judge, an Associate Chief Judge and forty-four judges appointed by the Lieutenant Governor in Council on the recommendation of the Minister of Justice. A Judicial Council composed of judges of all levels of court and representatives of the Law Society and the government has the duty of considering and making recommendations to the Minister regarding proposed judicial appointments to the Court. The Court exercises both civil and criminal jurisdiction:

(a) civil by virtue of **The Small Claims Enforcement Act**, under which it has jurisdiction to try and adjudicate upon claims and counterclaims for debts and damages not exceeding $3,000;

(b) criminal or quasi-criminal by virtue of the **Criminal Code** and a variety of federal and provincial statutes, under which it can hear summary conviction offences and certain indictable offences in respect of which it has absolute jurisdiction, and other indictable offences where the accused is given a choice as to the mode of trial.

In general terms, it is the court of first appearance in criminal matters and adjudicates on all provincial and municipal offences. Consequently it is a court having a great impact on the general public.

Two Traffic Safety Courts are operational in Saskatchewan, one in Regina and one in Saskatoon. These courts are restricted to traffic violations, excluding parking offences, and they were established with two objectives in mind:

(a) to remove traffic matters from the criminal court system, thus providing Provincial Court Judges more time to deal with criminal matters; and

(b) to attempt to change driving attitudes by having a court designed to deal with driving offenders.

The Traffic Safety Courts have been evaluated as being a success and an important component of the Provincial Court.

Under the provisions of **The Provincial Court Act**, the Chief Judge is also assigned the responsibility of directing and supervising the duties and sittings of 520 Justices of the Peace.

During 1983, excluding Traffic Safety Court offences, a total of 134,174 cases were processed through the Provincial Courts, representing an increase of 1,032 cases from the previous year.

During 1983-84, there was one retirement and one new appointment to the Provincial Court.

TABLE 5

CASELOAD STATISTICS — PROVINCIAL COURT OF SASKATCHEWAN

	1981	1982	1983
Cases Tried	125,777	126,274	126,820
Convictions	88,625	86,821	94,168
Absolute Discharges	1,219	986	1,102
Conditional Discharges	1,700	1,862	2,036
Juvenile Delinquents Act	1,982	1,708	1,972
Small Claims	2,281	2,312	2,244
*Total Cases	132,959	133,142	134,174
Total Provincial Fines Levied and Collected	$5,671,347	$6,072,289	$7,037,006
Traffic Safety Court Caseload	—	19,438	26,792

*Excluding Traffic Safety Court cases.

IV Coroners' Branch

The coroner system provides a means for the independent investigation of the circumstances surrounding death. Cases of violent, sudden or unexplained death are reported to the coroner, who inquires into the death and has the power to decide whether an inquest is necessary. If an inquest is held, a jury of six is summoned to hear evidence relating to the circumstances of death. After hearing the evidence, the coroner's jury returns a verdict as to the cause of death and may make recommendations as to how similar deaths may be avoided.

The Chief Coroner is responsible for administering **The Coroners Act** and supervising and directing the 170 coroners in the province, of which 51 are medically qualified. He establishes and conducts instruction programs for coroners, and brings any findings to the attention of the appropriate persons, agencies, or government.

The Chief Coroner continues to meet with the coroners throughout the province on a regular basis, to update them concerning changes in policy and to be made aware of any concerns which they may have relating to their work as coroners.

The Branch continues to provide basic training seminars for new coroners.

TABLE 6

***1983 SASKATCHEWAN DEATH STATISTICS**

	Natural	Accidental	Suicide	Homicide	Undetermined	Non-Coroners
Under 20	77	128	17	4	1	2
21 - 40	50	147	65	20	2	3
41 - 60	197	99	30	5	4	13
61 - Over	740	80	33	1	2	65
Unknown	—	1	—	—	2	15
TOTAL	1,064	455	145	30	11	98

*Calendar Year.

V Policing

• POLICING BRANCH

• General

The primary responsibility of the Policing Branch is the administration of the Federal-Provincial Agreement respecting the provision of provincial policing services by the R.C.M.P. The Branch also provides a liaison between the Department and the Saskatchewan Police Commission and has responsibility, in conjunction with the Commission, for considering matters of province-wide policing policy and policing questions generally. The Policing Branch administers the Indian Special Constable Program, firearms control provisions of the **Criminal Code**, municipal/R.C.M.P. policing agreements and **The Private Investigators and Security Guards Act**.

• Firearms Control Provisions of the Criminal Code

As a result of amendments to the **Criminal Code** in 1978, any person wishing to acquire a firearm, or any person or firm in the business of selling firearms or ammunition was required to obtain a certificate or business permit respectively. In Saskatchewan, all applications for business permits must be approved by the local police and forwarded to the Policing Branch for issuance of the permit. Applications for firearms acquisition certificates must be approved by the local police force, and with the exception of the Cities of Estevan, Moose Jaw, Prince Albert, Regina, Saskatoon and Weyburn, all certificates are issued by the Policing Branch. In the Cities mentioned, the municipal force approves and issues the certificates.

During 1983-84, 4,380 certificates and 721 business permits were processed by the Branch. An additional 2,787 firearm acquisition certificates were issued by the six municipal police forces. In comparison, a total of 8,827 certificates were issued by the Branch and municipal police forces in 1982-83.

• The Private Investigators and Security Guards Act

All firms and individuals involved in the business of private investigation or security must be licensed and the Policing Branch has responsibility for the approval and issuance of all licenses under the Act. During 1983-84, forty-two business licenses and 1,170 individual licenses were processed by the Branch. This compares with forty business licence applications and 977 individual licence applications in 1982-83.

• R. C. M. P. — "F" DIVISION

• General

Under an agreement between the Government of Canada and the Government of Saskatchewan, the R.C.M.P. are responsible for providing the provincial police service in Saskatchewan to all rural areas and communities with populations of less than 500.

Also under the umbrella of that agreement, police service is provided by the R.C.M.P. to communities with populations between 500 and 1,500 who wish that service, on the basis of individual agreements between the province and each community concerned. During 1983-84, 92 municipalities continued agreements with the province for this service. Municipalities are required to pay the per member cost of an R.C.M.P. member under the Federal/Provincial Agreement. In 1983-84 the estimated cost per member for provincial policing was $38,753.

In addition, the R.C.M.P. provide policing service to 37 municipalities with populations of 1,500 and over, under separate contracts between the federal government and the municipalities concerned, involving 215 police members and 36 municipal support staff.

• Provincial Policing

Since 1928, the Province of Saskatchewan has utilized the services of the R.C.M.P. for provincial policing. The current agreement commenced April 1, 1981, and continues for a ten-year period to March 31, 1991. Under the terms of the agreement, the province is required to pay a percentage of expenditures of the R.C.M.P. incurred in providing provincial policing services. In the first year (1981-82) the province paid 56% of policing costs. The provincial share will increase, at the rate of 1% per year, to 60% in 1985-86. After 1985-86, the provincial share will increase, at the rate of 2% per year, to a maximum of 70% in 1990-91.

During 1983-84 provincial policing services were provided by 832 R.C.M.P. members with an additional 120 clerical staff. This reflects an increase of three members from the previous year. Additional members were required to staff a new detachment at Wollaston Lake and one member was added to the Nipawin rural detachment to accommodate the increased policing requirement resulting from the Saskatchewan Power Corporation construction project at Nipawin. Through redeployment of existing resources, additional police personnel were also made available at Warman, Val Marie, Ile a la Crosse, Uranium City, Buffalo Narrows and La Loche.

Operationally the provincial policing service is provided by 119 detachments, which are directly responsible to six Sub-division Headquarters at North Battleford, Prince Albert, Regina, Saskatoon, Swift Current and Yorkton. Special support units such as General Investigation, Police Service Dogs and Identification Units are located at Sub-Division Headquarters and a few larger detachments. There are also thirty-nine Highway Patrol Units in the province.

A significant event in 1983-84 was the establishment of a two-member detachment at Wollaston Lake, a community of approximately 650 residents. This area was previously policed from La Ronge, a distance of 440 kilometres to the south.

Criminal offences within areas policed by the R.C.M.P. showed a very moderate increase in 1983-84 as indicated in Table 7.

TABLE 7

CRIMINAL OFFENCES IN AREAS POLICED BY R.C.M.P.

	1981	1982	1983
Offences Against Persons	3,439(+1.5%)	3,840(+11.6%)	3,939(+2.6%)
Offences Against Property	20,964(+14.8%)	22,776(+8.6%)	23,186(+1.8%)
Impaired Driving	8,046(0)	8,463(+5.2%)	8,859(+4.7%)
Other Criminal Offences	3,419(+21.7%)	4,136(+21%)	3,941(−4.7%)

Other policing highlights of 1983-84 were:

- Reportable accidents in R.C.M.P. jurisdictions continue a decrease following the trend experienced in 1982. The 1983 decrease in fatal accidents was 4.2%; in personal injury accidents 6.4%; and in property damage accidents 6.5%. Continued emphasis on enforcement of drinking/driving legislation resulted in a prosecution increase of 1.4% and roadside suspension of licences of 7.7%. Written warning issues have doubled from the previous year.
- Special emphasis was placed on identifying and investigating spousal assault cases in accordance with the Attorney General's direction.
- A resurgence of agriculture/chemical thefts has placed this crime in a high profile status. Increased participation by manufacturers, distributors and the media has been instrumental in reducing this type of crime.
- Crime prevention and law enforcement are dependent on public support. The participation of the public is increasingly evident in many of the 87 Crime Prevention/Police Community Relation programs provided in Saskatchewan. A typical example is the Rural Crime Watch Program which is active in 85 detachment areas. There are more than 9,400 ranchers and farmers participating in this program, with several departments and agencies such as Saskatchewan Power Corporation, Sask. Oil and the Saskatchewan Association of Rural Municipalities assuming active roles.
- During 1983, there were 213 complaints registered against R.C.M.P. members and service provided by the R.C.M.P. Complaints against members accounted for 168 of the 213 complaints. One hundred and thirty-five complaints were found to be unsubstantiated or unfounded. Of the 78 substantiated complaints, 45 were resolved by counselling members, 31 by disciplinary action, and two by criminal court action.

- **Indian Special Constable Program**

In 1975, as a result of an agreement with the Department of Indian and Northern Affairs, an Indian Special Constable Program was established. The program is cost-shared with the federal department, with the province paying 54% of the cost.

Under this program, status Indians are recruited by the R.C.M.P. with support from the Federation of Saskatchewan Indian Nations. They are appointed to the rank of Special Constable, trained at the R.C.M.P. Training Academy in Regina and posted to detachments with Indian communities in their areas. There is an establishment of thirty-nine positions in the program. During 1983-84, for the first time since the program was started in 1975, the establishment was filled and there was a waiting list of applicants. The cost of this program to the province during 1983-84 was $770,500.

VI Corrections Division

- **General**

Corrections Division is responsible for the administration of the province's adult corrections services. The major functions of the Division are:

(a) Preparation of pre-sentence and bail verification reports as requested by the courts to assist in the sentencing and remand processes;

(b) Provision of opportunities for offenders to settle fines through community service work;

(c) Supervision of persons placed on probation or released on bail;

(d) Provision of a range of custodial controls for offenders sentenced to terms of imprisonment less than two years, or for persons held on remand awaiting trial or sentencing [terms of two years or more are served in federal penitentiaries administered by the Correctional Service of Canada.];

(e) Provision of opportunities for offenders to learn and practice responsible behaviour; and

(f) Assistance to and co-operation with other agencies in the development of crime prevention programs.

The above activities are governed by the following legislation:

- **The Saskatchewan Corrections Act**,
- **The Criminal Code**, and
- **The Prisons and Reformatories Act**.

[The latter two statutes are federal enactments.]

Within the context of its responsibility for protection of the public and for providing services to enable the carrying out of sentences imposed by the courts, the Corrections Division offers a wide range of programs which provide for varying levels of offender care, control and supervision. These programs are delivered through two operational systems — the Community Operations Branch and the Institutional Operations Branch. Services for Northern Saskatchewan are administered through a Northern Regional Office located in La Ronge.

- **COMMUNITY OPERATIONS**

Community Operations Branch administers community-based corrections programs. These programs enable the courts to consider a range of alternatives to imprisonment in the sentencing process. They are designed primarily for non-dangerous offenders who present a minimal risk to the public at the time of sentencing.

- **Adult Probation Services**

Probation is the supervision of convicted offenders for whom the passing of sentence has been suspended pending satisfactory compliance with the terms and conditions of a probation order prescribed by the court. The adult probation service, which is administered through six regional offices and five sub-offices, handles the supervision of probationers as well as the preparation of pre-sentence reports requested by the court. Probation officers conduct community investigations to assist provincial correctional centres in developing release plans for inmates. In addition, they supervise offenders in outlying areas who are released under the authority of the National Parole Board.

During 1983-84, probation officers prepared 1,721 pre-sentence reports and supervised a monthly average of 2,975 probationers. In addition, they supervised a total of 107 parolees for the National Parole Service. A community investigation was requested in 72 of these cases. Detailed caseload statistics for Community Operations staff are outlined in Table 8.

TABLE 8

CASELOAD STATISTICS -- COMMUNITY OPERATIONS (1979-80 to 1983-84)

	1979-80	1980-81	1981-82	1982-83	1983-84
Average Monthly Probation Caseload	2,373	2,475	2,523	2,951	2,975*
Pre-sentence Reports	1,511	1,669	1,759	1,696	1,721*
Parole Assessments (per year)	74	72	73	84	72
Bail Verification Reports	—	—	75	240	353**
Community Service Order Reports	—	—	—	—	139
Restitution Reports	—	—	—	—	272
St. Louis Placement Reports	—	—	—	—	734

* Statistics for years prior to 1983-84 do not include data from the Northern Region

** The Bail Program became fully operational in Prince Albert, Saskatoon and Regina in 1983-84

- **Fine Option Program**

The Fine Option Program provides offenders unable to pay fines the alternative of settlement by community service work rather than incarceration for default. Such offenders, who participate in the program voluntarily, are assigned various tasks to be performed for the benefit of the community under the supervision of local agencies. There is no exchange of cash in the program. The offender receives a credit against the fine based on the minimum hourly wage and the courts accept a voucher showing the hours of work performed as settlement for the fine. The program is administered locally on a fee-for-service basis by municipalities, Indian Bands, or other non-profit organizations.

During 1983-84, 10,508 fines were registered. Participants performed 233,795 hours of voluntary work under supervision in their home communities, to settle $968,183 in fines. Table 9 provides detailed statistical information regarding program participation over the last five years.

TABLE 9

FINE OPTION STATISTICS — 1979-1980 to 1983-84

	1979-80	1980-81	1981-82	1982-83	1983-84*
Number of Fines Registered	5,459	6,033	7,729	8,002	10,508
Value of Fines Worked Off	$417,376	$502,475	$555,831	$605,817	$968,183
Person-years of Imprisonment Eliminated**	215	224	247	225	342

* — 1983-84 figures include 510 fines registered, and $76,687 in fines worked off, in the Northern Region. Figures for the northern region are not included in previous years.

** — Person-years of imprisonment eliminated is an estimated figure.

- **Community Service Order Program**

The Community Service Order Program was implemented on December 1, 1983, to provide an alternative sentence for property offenders. In this program, selected offenders, when ordered by the court, perform community service work as a condition of a probation order. All work performed is for the benefit of the community under the supervision of local non-profit agencies. Many of these fee-for-service agencies also provide supervision for Fine Option Program participants.

During the program's first four months of operation, a total of 134 offenders received a sentence requiring them to perform community service work. This amounted to 11,177 hours of service to local non-profit organizations.

- **Restitution Program**

The Restitution Program, a new program implemented on a province-wide basis on April 1, 1983, is designed to serve as an alternative sentence for property offenders. Under its provisions, offenders, when ordered by the court, pay victims of property crime the actual dollar loss resulting from the offence. Services are provided to the court in the form of restitution assessment reports and the supervision of restitution payments.

During the program's first year of operation, the number of cases involving restitution increased by twenty-six percent over the same period in 1982-83, resulting in a total of 2,280 orders with a dollar value of $697,936. While many offenders pay restitution on an installment basis, $393,212 had already been repaid to victims by the end of the fiscal year.

- **Bail Verification and Supervision Program**

The Bail Verification and Supervision Program operating in Prince Albert, Saskatoon and Regina assists the courts in determining who could be safely released to the community while awaiting trial. Program staff prepare Bail Verification Reports upon request from the court and, when the court so orders, staff supervise individuals who have been released on bail. During 1983-84, 353 Bail Verification Reports were prepared, 180 persons were released with supervision requirements, and thirty-five were released unsupervised. An average of fifty-two persons were supervised each month.

- **Impaired Drivers Treatment Program**

The Impaired Drivers Treatment Program provides a treatment option to persons convicted of second or subsequent offences of impaired driving and who are subject to mandatory imprisonment. There are three phases to the Program:

(a) preliminary screening and referral is carried out by Corrections Division Program Co-ordinators who submit sentence placement reports to the court;

(b) referred offenders are sentenced by the courts to a fixed term enabling placement at a thirty bed residential care and treatment facility at St. Louis, Saskatchewan [the facility operates under a grant from the Saskatchewan Alcoholism Commission]; and

(c) after their release, offenders receive follow-up services provided by personnel of the Saskatchewan Alcoholism Commission as a condition of a probation order.

Impaired driving offenders with longer sentences may be allowed to enter St. Louis fourteen days before they are to be released on parole. In total, 668 persons were admitted to the St. Louis facility during 1983-84, as compared to 602 admissions in 1982-83.

- **Volunteers in Probation**

Unique to the Saskatoon Region, the Volunteers in Probation Program amplifies service to probationers and encourages citizen participation in the supervision of offenders. Volunteer Probation officers are carefully selected, trained and act under the guidance of a regular probation officer. During 1983-84, the average number of volunteers per month available for service was seventy-three.

- **Attendance Centres**

A court may require an offender to attend information and educational sessions as a condition of probation. Attendance Centres are located in Saskatoon and Regina for this purpose. Specialized educational programs take place during the day, evening or on weekends, with courses being offered in the areas of employment skills, alcohol and drug education, money management, life skills, and women's concerns. Community professionals, specialists and volunteers are utilized to provide comprehensive instruction and supervision.

- **Grants to Non-Government Agencies**

Corrections Division administered departmental grants to two community agencies which provide services to clients who are directly or indirectly involved with Corrections. The John Howard Society of Saskatchewan received a grant to assist in the provision of counselling services to inmates, ex-inmates and their families and community programming. The Canadian Association for the Prevention of Crime was given a grant to assist in the promotion of research and development in the criminal justice field.

• INSTITUTIONAL OPERATIONS

The Institutional Operations Branch is responsible for the administration of programs for the care and custody of offenders sentenced to terms of imprisonment of less than two years (i.e., those incarcerated offenders for which the province is responsible). During 1983-84, twenty-one correctional facilities were administered by the Division. The breakdown, by category, was as follows:

Provincial Correctional Centres	4
Community Correctional Centres	3
Community-Training Residences	5
Correctional Camps (operated by Correctional Centres)	8
Correctional Camps (direct admission)	1
	21

The average daily count in 1983-84 (all facilities combined) was 1,144. A graph of prison populations over the last five years is displayed in Figure 3.

- **Provincial Correctional Centres**

In 1983-84, Institutional Operations Branch maintained four correctional centres to provide custody for offenders under provincial jurisdiction. These included correctional centres for male offenders in Regina, Saskatoon and Prince Albert. A facility for female offenders is located at Prince Albert.

Programs within each centre are designed to create a secure humane environment for inmates while maximizing their work, educational, and training opportunities.

The Regina Correctional Centre, which serves the Southern Region, is the largest facility for sentenced and remand male offenders in the province. The centres provide a wide range of institutional services including academic and vocational training, counselling services, work and recreation programs, and medical and dental services. To the fullest extent possible, community resources are used for these purposes. Low security inmates who qualify may be transferred to a community-training residence or to a correctional camp, or they may be released on parole under the authority of the National Parole Board.

A smaller facility, the Saskatoon Correctional Centre, accommodates sentenced and remand male offenders from the central area of the province. This facility is one of two new centres designed with modern living units which were opened in the province during 1981-82. The other is located at Prince Albert.

The Prince Albert Correctional Centre, identical in design and concept to the Saskatoon facility, serves male offenders in the northern area and provides accommodation for high security inmates from the Northern Region.

Pine Grove Correctional Centre at Prince Albert is the only correctional facility for female offenders in the province and admits offenders from all regions. Programs within the facility are designed to provide opportunities for inmates to develop normal living skills. A well developed range of community services, including a community training program, is also provided.

- **Community Correctional Centres**

The Battlefords Community Correctional Centre provides services to offenders from the Battlefords area serving sentences of less than four months. This facility is operated by the Corrections Division in conjunction with a Community Advisory Board which assists in the development of policy and programming. The Program currently focuses on the performance by inmates of community service work projects in the surrounding area.

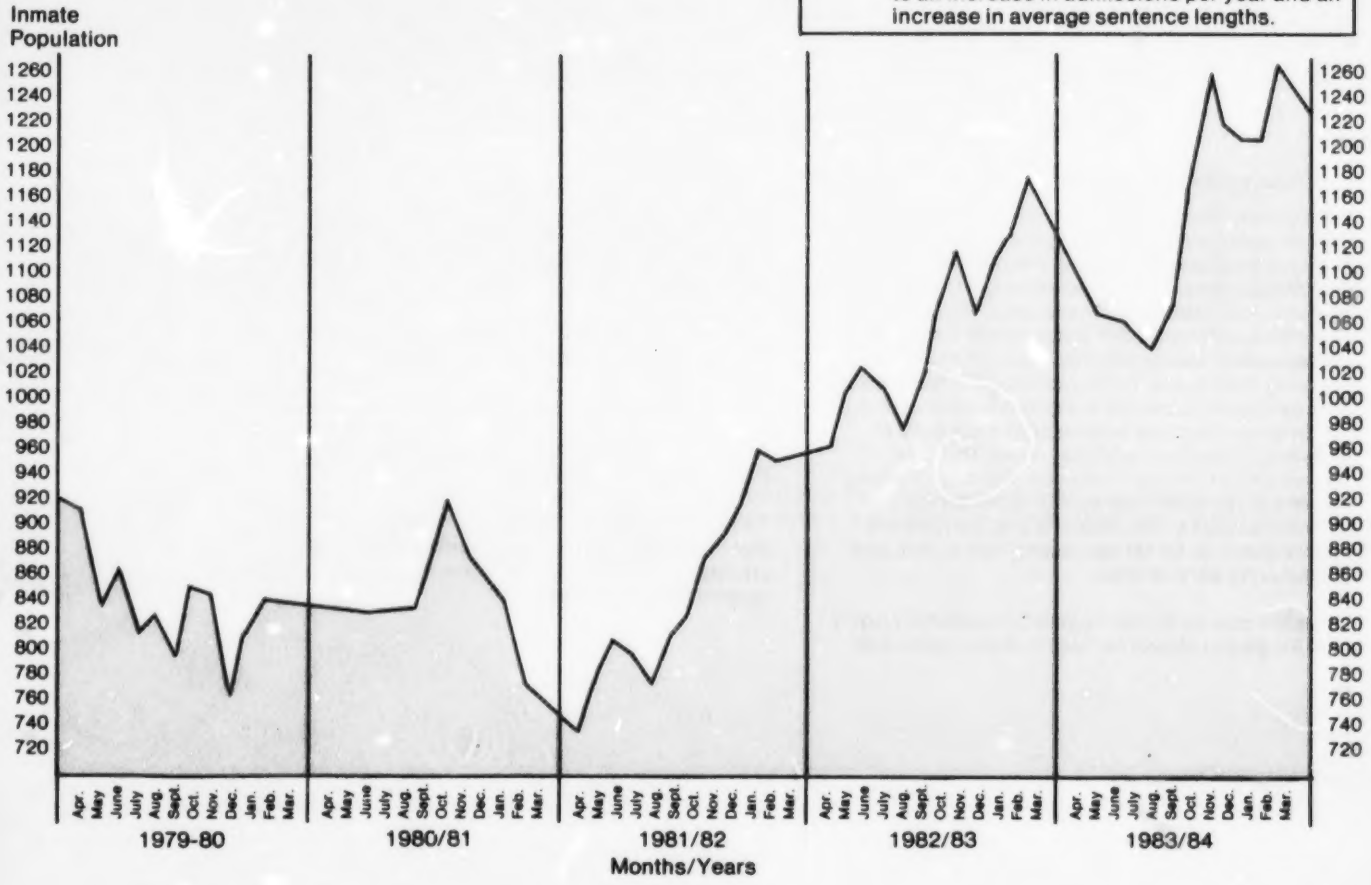
Community Correctional Centres administered by the Northern Region are located at Buffalo Narrows and Creighton. These facilities receive non-violent male offenders directly from court or by transfer from Prince Albert Correctional Centre. Inmates at the Buffalo Narrows and Creighton Community Correctional Centres performed 9,500 hours of community service work during 1983-84.

Figure 3

Saskatchewan Prison Population

1979-80 to 1983-84

NOTE: The increase in daily counts is due primarily to an increase in admissions per year and an increase in average sentence lengths.



- **Community-Training Residence**

The Community-Training Residence Program is designed to provide opportunities for selected offenders, both sentenced inmates and probationers, to participate in community activities which will promote responsible social behaviour and work patterns after their release. Such activities include employment, vocational and academic training, and treatment for alcoholism. A total of five community-training residences, two in Regina and one each in Saskatoon, Prince Albert and North Battleford, are maintained as a base for the program for male offenders. Each residence is a large leased family-style home with a capacity for approximately twelve offenders.

Residents pay room and board during the period of participation in the program and are encouraged to become involved in family and social activities which will help them learn to cope with the ordinary demands of society after release. Many participants have a full-time job that they can retain after release.

Female offenders from Pine Grove Correctional Centre participate in the work, vocational training or educational aspects of the Community-Training Program; however, they continue to reside at the Correctional Centre.

TABLE 10

COMMUNITY-TRAINING RESIDENCE PROGRAM STATISTICS

1979-80 to 1983-84

	1979-80	1980-81	1981-82	1982-83	1983-84
Cases Discharged During the Year	353	388	420	445	456
Total Days on Program	17,227	17,476	17,741	18,452*	19,907
Total Earnings and Training Grants	$370,155	$263,350	$227,000	$218,052	$278,000
Board and Room Paid by Inmates to C.T.R.'s	–	–	83,000	96,016	107,760
Support to Dependents	–	–	–	–	30,900

* – Estimate which appeared in the 1982-83 Annual Report has been revised.

- **Correctional Camps**

The province maintains eight correctional camps which operate as satellites to correctional centres in various locations throughout the province. An additional camp, administered by the Northern Region, is located at Besnard Lake. Unlike the satellites, Besnard Lake Correctional Camp is an independent facility that receives admissions directly from court. These facilities, for male inmates, are designed to provide a positive work and living experience for those who require a low level of security. The major work performed involves development and maintenance of public camping sites and recreational areas in the province's provincial parks. Some camps also perform fire fighting duties, forest harvesting operations, and community service work.

Satellite camps for the Regina Correctional Centre are located at Moose Mountain, Echo Valley and Buffalo Pound Provincial Parks. Prince Albert Correctional Centre has satellite camps at White Gull and Meadow Lake Provincial Parks as well as an Urban Camp.

An Urban Camp (officially opened in September, 1983) is located adjacent to the Saskatoon Correctional Centre while a satellite camp for the Centre is situated at Danielson Provincial Park.

At the end of 1983-84, the eight satellite camps and Besnard Lake Camp had a total capacity of 242.

Tables 11 , 12 and 13 depict admission and discharge data, age groups, and major offence groups respectively for the correctional facilities that receive direct admissions.

TABLE 11

PROVINCIAL CORRECTIONAL FACILITIES

New Admissions and Discharges, 1983-84

Correctional Facilities	Admissions*			Discharges**		
	Sentence	Remand	Total	Sentence	Remand	Total
Regina	2,384	932	3,316	2,472	916	3,388
Prince Albert	1,817	427	2,244	1,561	424	1,985
Pine Grove	550	116	666	537	112	649
Saskatoon	1,304	780	2,084	1,287	762	2,049
North Battleford	429	—	429	442	—	442
St. Louis	343	—	343	634	—	634
Creighton	60	3	63	80	1	81
Buffalo Narrows	102	—	102	122	—	122
Besnard Lake	50	—	50	125	—	125
TOTAL	2,258	2,851	9,297	7,260	2,215	9,475

* Includes only new admissions during the fiscal year 1983-84. Note that 838 transfers between correctional facilities were excluded. (In particular, there were 324 transfers to St. Louis). An individual may generate more than one sentence or remand admission.

** Discharges exclude transfers to correctional facilities.

TABLE 12

PROVINCIAL CORRECTIONAL FACILITIES

New Sentenced Admissions* by Age Group, 1983-84

Correctional Facilities	16	17	18-19	20-24	25-34	35-44	45+	Total
Regina	59	116	336	748	669	261	195	2,384
Prince Albert	58	95	269	578	533	173	111	1,817
Pine Grove	22	43	77	156	163	61	28	550
Saskatoon	32	88	225	378	371	135	75	1,304
North Battleford	10	19	71	132	107	49	41	429
St. Louis	0	8	44	93	82	56	60	343
Creighton	3	5	10	25	14	2	1	60
Buffalo Narrows	5	5	15	35	29	12	1	102
Besnard Lake	5	5	14	11	12	2	1	50
TOTAL	194	384	1,061	2,156	1,980	751	513	7,039

* Includes only new sentenced admissions during the fiscal year 1983-84. Note that 838 transfers between correctional facilities were excluded. (In particular, there were 324 transfers to St. Louis). An individual may generate more than one sentence admission.

TABLE 13

PROVINCIAL CORRECTIONAL FACILITIES

New Sentenced Admissions* by Major Offence Group, 1983-84

Correctional Facilities	Against Person	Narcotics	Against Property	Drinking/ Driving	Misc.	Provincial Acts	Total
Regina	638	71	589	667	118	301	2,384
Prince Albert	483	35	500	410	136	253	1,817
Pine Grove	155	11	163	88	51	82	550
Saskatoon	364	48	434	263	65	130	1,304
North Battleford	81	5	88	102	45	108	429
St. Louis	17	2	7	314	1	2	343
Creighton	12	1	26	8	10	3	60
Buffalo Narrows	19	1	44	19	9	10	102
Besnard Lake	18	1	20	5	4	2	50
TOTAL	1,787	175	1,871	1,876	439	891	7,039

* Includes only new sentenced admissions during the fiscal year 1983-84. Note that 838 transfers between correctional facilities were excluded. (In particular, there were 324 transfers to St. Louis.) An individual may generate more than one sentenced admission.

VII Property Registration and Management Branch

• PROPERTY REGISTRATION

This Branch is divided into two sub-branches. Property Registration is responsible for the land titles and personal property registration systems. Property Management is responsible for the administration of the estates of the mentally incompetent and minors. Until April 1, 1984, the latter function was carried out through the offices of the Administrator of Estates and the Official Guardian. Since that date, those two offices have been merged in that of Public Trustee.

The same person became Director of Property Registration and Master of Titles on March 1, 1984, resulting in legal and administrative direction in the land titles system being combined.

Both the Director of Property Management and the Public Trustee report to the Assistant Deputy Minister (Administration).

• Land Titles

The purpose of the land titles system, similar to that in the other Western Provinces, is to provide for state-guaranteed ownership of land, and for the recording of documents which create interests in land, such as mortgages and easements, in order to protect the persons entitled to those interests. Land titles offices are responsible for the examination and registration of land-related documents, the issuance and updating of title, custody and microfilming of original titles and documents, and the provision of title and document searches. The Master of Titles:

(a) is required to inspect the books and records in the land titles offices;

(b) instructs the registrars and advises the public concerning the registrability of documents;

(c) adjudicates, if necessary, among competing claims of interest in land prior to the granting of Certificates of Title;

(d) issues orders, when necessary, respecting true ownership of mines and minerals; and

(e) orders the correction or amendment of plans of survey.

The Chief Surveyor examines and approves for registration in the Land Titles Offices all plans of survey except for roadway plans.

There are eight land registration districts in the province, each with its own land titles office, registrar and staff. The registrars work under the legal and administrative direction of the Master of Titles, who is also Director of the Property Registration Branch. The locations of district offices are Battleford, Humboldt, Moose Jaw, Prince Albert, Regina, Saskatoon, Swift Current and Yorkton. The offices of the chief surveyor and microfilm editing are located in Regina.

During 1983-84, declining interest rates together with government incentive programs have resulted in increased real estate activity placing significant work pressures upon the land titles system. Land titles offices have experienced record increases in the number of documents received for registration and requests for search services.

TABLE 14

COMPARATIVE STATISTICS — REGISTRATION OF LAND TITLES

Type of Activity	1981-82	1982-83	1983-84
Land Titles Offices			
Instruments Received	197,595	208,249	239,775
Instruments Registered	145,149	150,725	181,506
Instruments Filed	12,855	14,951	14,083
Titles Issued	70,588	59,738	67,119
Transfers and Transmissions	—	46,610	50,139
Mortgages	—	29,445	36,779
Caveats	—	14,094	17,857
Notices Issued	67,005	84,435	88,606
Certificates Issued	192,992	217,469	244,371
*Counter Searches	305,493	189,384	213,685
Chief Surveyor's Office			
Plans Examined	922	899	1,072
Master of Titles Orders Completed	171	233	230
Number of Plans Printed	23,102	24,360	28,095

* 1982-83 and 1983-84 statistics exclude Field Titles searches.

- **Personal Property Registry**

The purpose of the Personal Property Registry is to provide a registration system whereby a secured party (seller, lending institution, garage keeper or execution creditor and in some instances, a buyer) may register a financing statement indicating an interest in the personal property of a debtor (buyer, person borrowing money, owner of a motor vehicle repaired by a garage, or execution debtor, and in some instances, a seller).

As well, the Personal Property Registry provides an enquiry system whereby persons intending to purchase personal property or to lend money on the security of personal property are able to request a search of available information registered against an individual, business, motor vehicle, mobile home, trailer, or airplane.

The Personal Property Registry maintains a record of all types of registrations registered against personal property in Saskatchewan under the following Acts and provides information based on these registrations upon request and payment of the prescribed fee:

- **The Personal Property Security Act**
- **The Sale of Goods Act** or **The Factors Act**
- **The Garage Keepers Act**
- **The Executions Act**
- **The Creditors' Relief Act**

Transitional provisions in **The Personal Property Security Act (PPSA)** affecting renewals of registrations which had an infinity registration life under pre-PPSA legislation played a significant part in the 17.1% increase in volumes of registrations processed during 1983-84. However, the most dramatic increase was seen in the volumes of searches processed at the Registry with a 38.5% increase over 1982-83.

TABLE 15

COMPARATIVE STATISTICS – PERSONAL PROPERTY REGISTRY

	1981-82	1982-83	1983-84
Registrations			
Manual Counts of Reg. No's.	226,276	282,035	330,358
System Updates (includes conversions)	231,354	282,458	331,091
Searches			
Counter Searches	20,868	23,531	31,946
Phone Searches from Judicial Centres	12,344	20,884	30,464
Total Searches processed on Personal Property Registry computer system (internal, counter, judicial centres and mail requests)	131,089	120,644	167,124
SGI Searches of PPR data base*	–	9,291*	17,931

*October, 1982 to March, 1983 only

• PROPERTY MANAGEMENT

• Official Guardian's Office

Under **The Infants Act** the Official Guardian may represent the interests of the infant (a person under eighteen years of age) in property. The Official Guardian is required to be served and to attend to the interests of infants whenever a judicial application is made in an estate in which an infant is interested. The Official Guardian is also served when persons apply to the Court for guardianship of an infant's estate. Where a settlement is proposed for an infant's claim for personal injuries or for damages for a fatal accident, the Official Guardian must be served and may advise the Court on an application for settlement confirmation.

The Official Guardian may issue a Certificate that there are no infants (born or unborn) interested in an estate, upon being satisfied on affidavit evidence that there are no such infants. This facilitates registration of transfers at the Land Titles Office in estate matters.

As well, the Official Guardian's Office provides information and assistance to the private bar on numerous matters pertaining to the interests of infants and to estate matters generally. Unlike in some provinces, however, the Official Guardian in Saskatchewan rarely represents children in divorce, custody and child protection areas.

In addition to the legal duties, the Official Guardian's Office is charged with administration of the trust funds of infants.

TABLE 16

COMPARATIVE STATISTICS — OFFICIAL GUARDIAN'S OFFICE

	1982-83	1983-84
Number of Accounts at March 31	3,076	3,193
Number of Accounts Closed in the Year	591	459
Number of Accounts Opened in the Year	456	594
Trust Funds at March 31	$18,388,330	$20,535,994
Interest paid to Accounts	$ 1,667,507	$ 1,624,518
Rate of Distribution of Income:		
At September 30	10%	9.7%
At March 31	9.7%	9.7%

• Administrator of Estates' Office

The Minister may appoint the Administrator of Estates to be the committee of the estate of a person in respect of whom a Certificate of Incompetence has been issued under section 28 of **The Mental Health Act** and who has no other committee. The medical officer in charge of the psychiatric facility may issue a Certificate of Incompetence in a prescribed form and forward it directly to the office of the Administrator of Estates. The Administrator of Estates administers the property of the person until the person becomes competent to handle his affairs, or until the death of the person, when the Administrator turns over all the assets to the executor or administrator of the estate.

If a third party obtains a Court appointment as committee, the Administrator will turn the assets over to the new committee.

In the 1983-84 fiscal year approximately 1,700 estates were under administration. Of these, approximately 950 were estates of persons sixty-five years of age or older. The Administrator is not the guardian of the person, but administers property matters only. All assets are held in trust and investment earnings are credited with interest semi-annually. An annual administration fee is charged to cover the operation costs of the Administrator of Estates' Office.

TABLE 17

COMPARATIVE STATISTICS — ADMINISTRATOR OF ESTATES

	1982-83	1983-84
Number of Estates	1,676	1,682
Total Net Value	$24,558,193	$28,604,235
Average Value	$ 14,653	$ 17,006
Statement of Interest Distribution:		
September 30	11.57%	11.17%
March 31	12.38%	12.12%

- **The Public Trustee Act**

The Public Trustee Act was enacted in 1983, and came into force on April 1, 1984. The Public Trustee will be a corporate body and the successor to the Administrator of Estates and the Official Guardian of Infants. While the principles which underlay the offices of both the Official Guardian and Administrator of Estates are generally retained in the new legislation, there will be some significant changes. Where the Court of Queen's Bench appoints a committee to represent the interests of a mentally incompetent person and that committee dies, the Public Trustee will administer the estate until there is a new committee appointed by the Court. Service of notices on persons of unsound mind, who have no committee, will be made upon the Public Trustee in all cases rather than on the Official Administrator. A judge will be able to appoint the Public Trustee to be the committee instead of an applicant under **The Mentally Disordered Persons Act**. This will usually happen if that person had a conflict of interest and could not carry out the duties in the patient's best interest. Finally, a Minister's Order is no longer required to enable the Public Trustee to act as committee.

For infants, i.e., children under eighteen years of age, a new provision will allow distribution of the infant's assets up to a maximum of $2,000, to a responsible adult at the discretion of the Public Trustee. For infants who have an interest in a lease or sale of land, the consent of the infant, if he or she is fourteen years or over, and the parent will be required before the Public Trustee can consent. The Public Trustee will be able to consent to settlements of infants' personal injury claims and claims under **The Fatal Accidents Act**, previously a power reserved to the Court of Queen's Bench.

VIII Management Services

• ADMINISTRATIVE SERVICES BRANCH

The Administrative Services Branch provides a range of central management support services to the Department. It has responsibility for financial management, the development and implementation of administrative policies and the operation of management information systems. In addition, a variety of general administrative services are provided. These include central accounting, property and procurement, arranging space accommodation with the Department of Supply and Services, mail and central filing and data entry services.

During 1983-84, a significant increase in the demand for all services provided by the Branch was experienced. This was due principally to the transfer of Corrections Division from the Department of Social Services to the Department of Justice. Also, increased activity in the areas of Land Titles and Personal Property Registry placed additional demands on support services.

Other administrative developments of interest during 1983-84 included the following:

- Revenues of $30,300,640 were received by the Department (total expenditures were $102,953,930);
- A new accounting system for Judicial Centres was implemented with the assistance of the Branch;
- Government approval was obtained to proceed with the development of an automated justice information system for Provincial Courts and prosecution offices throughout the province (this system is scheduled for implementation early in 1985);
- A word processing system which services most Branches located in Regina Head Office was introduced;
- The Branch began the introduction of a new fiscal forecasting model which assists managers in projecting expenditures and providing information in problematic areas.

• PERSONNEL AND TRAINING BRANCH

The amalgamation of the Department of the Attorney General and Corrections Division, Department of Social Services, to form the new Department of Justice added five permanent and three non-permanent staff to the establishment of the Personnel and Training Branch. The Branch now serves a Department having a staffing component of 1,475 permanent and non-permanent positions.

Services include staffing, classification, training and development, staff relations, contract administration and manpower planning. In addition, the Branch prepares all payrolls and administers the Department's benefits entitlement programs.

In 1983-84, the Branch initiated staffing actions resulting in 151 permanent appointments. In addition, 329 temporary and part-time appointments were processed and sixty classification requests handled. Approximately 30,000 payroll transactions took place during the year.

The Personnel and Training Branch is responsible for training expertise relating to job skills and job knowledge. Training provides the employee with the opportunity for personal growth, improved performance, and job satisfaction. For the employer, skill improvement results in improved efficiency of operations, economy in terms of personnel utilization, reduction in staff turnover, and improved services.

In addition to manpower planning, management and supervisory training is provided in the following areas: Stepping Up To Supervisor; Communications; Survival Training For Supervisors; Personnel Recruitment and Selection; Staff Relations; Situational Leadership; Executive Development Program; Administrative Development Diploma (ADD) Program. In addition, the Branch provides liaison for Public Service Commission courses and operates textbook and tuition rebate and educational leave programs. Training activities during 1983-84 are summarized as follows:

Public Service Commission courses	26
Education Leave	11
Textbook and Tuition Rebate	95
ADD Program	3
Stepping Up To Supervisor	52
Communications:	
Survival Training for Supervisors	19
Staff Relations	4
Personnel Recruitment and Selection	9
Situational Leadership	33

The focus for the 1983-84 year was the implementation of training programs for the Managing Human Performance pilot projects. One hundred and forty-nine employees received Managing Human Performance training during the year. In addition, training programs were developed and undertaken to support new program thrusts for the Department, (i.e., four weeks training for the Restitution Program, and four weeks training for the Community Service Order Program).

The Personnel and Training Branch also co-ordinates the training for the Corrections Worker Training Program. Thirteen trainees graduated from the training program during 1983-84 as compared to thirty-six graduates in the previous year. Trainees receive sixteen weeks of formal training prior to their commencing full duties within a correctional centre. The training course is composed of ten weeks of classroom instruction and six weeks of field placement. Classroom work is evaluated on the basis of written tests and performance examinations while field placements are evaluated on the basis of on-the-job performance of assigned duties at the correctional centres.

During 1983-84, all new appointments and renewals to Commissioner for Oaths (both within the province and outside the province) as well as appointments and renewals for Notaries Public were processed and registered by the Personnel and Training Branch*. Appointments are in effect for five years. During the calendar year 1983, there were 2,901 Commissioners and 610 Notaries processed.

• POLICY, PLANNING AND EVALUATION BRANCH

As part of the reorganization of the Department, a Policy, Planning and Evaluation Branch was established in April, 1983. This Branch is responsible for the provision of central program support services to the Department, with special emphasis on criminal justice issues.

Activities within the Branch are focussed in the areas of strategic planning, policy analysis, program development and program evaluation. Branch staff conduct or participate in projects designed to bring about improvements in the efficiency and effectiveness of departmental programs. Consultation on operational issues is also provided to Divisional and Branch Heads on an ongoing basis.

The Branch was able to initiate and complete a number of major projects during 1983-84. The following activities highlighted the year's operations:

- The Branch was extensively involved in program planning and interdepartmental liaison work related to the implementation of the **Young Offenders Act**. This included involvement in the negotiation of a federal-provincial funding agreement, the development of an implementation strategy for the first year of operations in 1984-85, the development of strategies for meeting the programming needs of sixteen and seventeen year olds who will come under the Act in April, 1985 and the development of a major program proposal regarding juvenile diversion;
- Evaluations of several corrections programs were carried out in collaboration with the staff of Corrections Division and other agencies. These included the Bail Verification and Supervision Program, the St. Louis Alcohol Rehabilitation Program and parole services for short-term offenders;
- Long-term space requirements forecasts for the corrections system were reviewed and updated;
- The Branch was invoived in interdepartmental liaison and planning in the area of family violence. In addition, a system to collect statistics on police and prosecutorial involvement in cases of wife battering was developed and initiated;
- As a prelude to an evaluation of the provincial Highway Patrol system, comprehensive information on current operations was compiled and coded;
- Policy and position papers on a variety of topics including fine default standardization, **The Vehicles Act** amendments, specialized courts for family law matters, and parole services delivery were prepared for consideration by senior management;
- A conceptual model and several components of a formal departmental planning system were developed in co-operation with senior management. In addition, the Branch was instrumental in representing the Department in a number of government-wide planning initiatives;
- In collaboration with the Saskatchewan Police Commission, the Branch was involved in initiating a variety of crime prevention activities, including the organization of a crime prevention awards function to coincide with the first annual National Crime Prevention Week.

*Effective July 1, 1984, this function was transferred to the Court Services Branch, Provincial Courts Unit.

POOR

QUALITY

ORIGINAL